



Broward County

Legislation Details (With Text)

File #: 22-1265 **Version:** 1

Status: Agenda Ready

In control: AVIATION DEPARTMENT

On agenda: 9/20/2022 **Final action:** 9/20/2022

Title: A. MOTION TO APPROVE Agreement between Broward County and RS&H, Inc., for Consultant Services for Airport Utilities and Pavement Projects, Request for Proposals (RFP) No. PNC2122842P1, for the Aviation Department, for an initial three-year term, in the maximum not-to-exceed amount of \$7,000,000, which includes \$250,000 for reimbursables, inclusive of initial and all renewal terms, and authorize the Director of Purchasing to renew the Agreement for up to two one-year terms, and authorize the Mayor and Clerk to execute same.

ACTION: (T-12:26 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0.

B. MOTION TO APPROVE Agreement between Broward County and Burns & McDonnell Engineering Company, Inc., for Consultant Services for Airport Utilities and Pavement Projects, Request for Proposals (RFP) No. PNC2122842P1, for the Aviation Department, for an initial three-year term, in the maximum not-to-exceed amount of \$7,000,000, which includes \$250,000 for reimbursables, inclusive of initial and all renewal terms, and authorize the Director of Purchasing to renew the Agreement for up to two one-year terms, and authorize the Mayor and Clerk to execute same.

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C. MOTION TO APPROVE Agreement between Broward County and AVCON, Inc., for Consultant Services for Airport Utilities and Pavement Projects, Request for Proposals (RFP) No. PNC2122842P1, for the Aviation Department, for an initial three-year term, in the maximum not-to-exceed amount of \$7,000,000, which includes \$250,000 for reimbursables, inclusive of initial and all renewal terms, and authorize the Director of Purchasing to renew the Agreement for up to two one-year terms, and authorize the Mayor and Clerk to execute same.

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Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Agreement - RS&H, Inc., 2. Exhibit 2 - Agreement - Burns & McDonnell Engineering Company, Inc., 3. Exhibit 3 - Agreement - Avcon, Inc., 4. Exhibit 4 - OESBD Goals Memorandum dated December 14, 2021

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: George Tablack

Department: Finance and Administrative Services **Division:** Purchasing

Information

Requested Action

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Why Action is Necessary

Motions A-C: In accordance with the Broward County Procurement Code, Section 21.47(a), Award and Execution Authority, Board approval is required for awards exceeding \$500,000.

Motions A-C: Pursuant to Section 332.0075, Florida Statutes, a governing body must approve, award, or ratify all contracts executed by or on behalf of a commercial service airport over \$325,000 as a separate line item on the agenda and must provide a reasonable opportunity for public comment. Such contracts may not be approved, awarded, or ratified as part of a consent agenda.

What Action Accomplishes

Motions A-C: Provide professional consulting services to perform pre-design, design services, construction administration and resident project representative services for utility and pavement

projects that are landside and airside at the Broward County Fort Lauderdale-Hollywood International Airport and North Perry Airport.

Is this Action Goal Related

No

Previous Action Taken

None.

Summary Explanation/Background

THE PURCHASING DIVISION AND THE AVIATION DEPARTMENT RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

The Office of Economic and Small Business Development (OESBD) established a Disadvantaged Business Enterprise (DBE) participation goal of 10%. RS&H, Inc. committed to 12% DBE participation. Burns & McDonnell Engineering Company, Inc. committed to 10% DBE participation. AVCON, Inc. committed to 28% DBE participation. The respective participation plans were reviewed and approved by OESBD (Exhibit 4).

The purpose of these agreements is to provide professional consulting services to perform pre-design, design services, construction administration and resident project representative services for airport utility and pavement projects at the Broward County Fort Lauderdale-Hollywood International Airport and North Perry Airport (Exhibits 1-3).

On September 9, 2021 (Item No. 54), the Board approved Request for Proposals (RFP) No. PNC2122842P1, Professional Consultant Services for Airport Utilities and Pavement Projects DBE. The RFP was advertised and, at the time of the submittal deadline on October 27, 2021, nine firms submitted proposals in response to the RFP.

On January 31, 2022, an Initial Evaluation Committee meeting was held. The Evaluation Committee determined that all nine firms were both responsive and responsible to the RFP requirements. In accordance with the Broward County Procurement Code, Section 21.44, Procedures for CCNA Services, whenever a CCNA procurement is conducted through a RFP, RLI, or RFQ, the Evaluation Committee shall establish a "shortlist" of vendors for further consideration of award of the solicitation, unless the Director of Purchasing determines that shortlisting would not be in the best interest of the County. During the Initial Evaluation Committee meeting, the Evaluation Committee passed a motion to shortlist six of the nine vendors. The Evaluation Committee evaluated the nine vendors' responses, scored in preferential order, resulting in a shortlist of six firms that were advanced to final evaluation which included vendor presentations, question-and-answer period, numerical scoring by the Evaluation Committee, and ranking.

On February 23, 2022, a Final Evaluation Committee meeting was held. After presentations, evaluation, scoring and ranking, the announcement of the Evaluation Committee's scores incorrectly named RS&H, Inc. as the first-ranked firm; AVCON, Inc. as the second-ranked firm; and Burns & McDonnell Engineering Company, Inc. as the third-ranked firm.

On March 7, 2022, the Director of Purchasing received written communication in accordance with the Cone of Silence Ordinance from LSN Partners, LLC on behalf of the proposing firm, EAC Consulting, Inc., objecting to the ranking of the top three firms. On March 8, 2022, the Director of Purchasing

issued a written communication to the Evaluation Committee in response to the Cone of Silence Ordinance letter received from LSN Partners, LLC.

On March 9, 2022, the Evaluation Committee was reconvened for the purpose of correcting the announcement of the tabulation of rankings from the February 23, 2022, Final Evaluation Committee meeting. The Evaluation Committee named RS&H, Inc. as the first-ranked firm; Burns & McDonnell Engineering Company, Inc. as the second-ranked firm; and AVCON, Inc. as the third-ranked firm.

The Evaluation Committee's proposed recommendation of ranking was posted on the Purchasing Division website from March 16 - 18, 2022, which provided an opportunity for any proposer or interested party to present any new or additional information regarding the responsibility of the proposers.

On March 17, 2022, the Director of Purchasing received an objection letter from LSN Partners, LLC on behalf of the proposing firm, EAC Consulting, Inc., objecting to the proposed recommendation of ranking.

On April 14, 2022, the Director of Purchasing issued a response to LSN Partners, LLC on behalf of the proposing firm, EAC Consulting, Inc., stating that the issues raised in the objection were not of sufficient merit to recall or otherwise alter the recommendation of the Evaluation Committee. As such, the objection was denied.

The Evaluation Committee's final recommendation of ranking was posted on the Purchasing Division website from April 15 - 22, 2022, which provided an opportunity for any aggrieved proposer to file a formal protest. There was no protest filed within this timeframe.

On May 24, 2022 (Item No. 54), the Board approved the Evaluation Committee's final ranking of the qualified firms and authorized staff to proceed with negotiations.

Three negotiation meetings were held to negotiate an agreement with RS&H, Inc.: June 15, July 13, and August 10, 2022. Three negotiation meetings were held to negotiate an agreement with Burns & McDonnell Engineering Company, Inc.: June 15, July 13, and August 10, 2022. Three negotiation meetings were held to negotiate an agreement with AVCON, Inc.: June 15, July 13, and August 10, 2022. These negotiation meetings were attended by representatives of RS&H, Inc.; Burns & McDonnell Engineering Company, Inc.; AVCON, Inc., respectively; and staff from the Broward County Aviation Department, the County Attorney's Office, and the Purchasing Division.

The initial term of each agreement will be effective upon date of execution and will terminate three years from that date.

Additional supporting documentation provided to the Evaluation Committee regarding this procurement can be found on Broward County's Purchasing Division website at <http://www.broward.org/Purchasing/Pages/Repository.aspx>.

Source of Additional Information

Robert E. Gleason, Director, Purchasing Division, (954) 357-6070

Fiscal Impact

Fiscal Impact/Cost Summary

Each individual work authorization processed against these agreements will be funded by the appropriate source at the time of release. Each Agreement allows the Contract Administrator to execute all work authorizations up to the maximum not-to-exceed amount in the Agreement.

Requisition No. AVC0000651